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EFFECT OF FLORIDA'S 10-20-LIFE LAW ON VIOLENT CRIME

By: Kristin Sullivan, Chief Analyst

You asked whether Florida's "10-20-Life" law caused a decrease in the state's violent crime rates.

For more information on the law's provisions, see OLR Report [2013-R-0067](#).

SUMMARY

Florida's 10-20-Life law ("the law") imposes mandatory minimum sentences for certain felony convictions involving the use or attempted use of a firearm (Fla. Stat. § 775.087). Since the law became effective in 1999, the state's violent crime rates have generally decreased. According to FBI Uniform Crime Reporting (UCR) statistics, the violent crime rate the year the law became effective was 854 (per 100,000 population), compared with 812 (per 100,000 population) one year later. Five years later in 2004, it was 711.8 (per 100,000 population). In 2010, the last year for which FBI UCR data is available, the rate was 542.4 (per 100,000 population).

But it is difficult to determine whether the drop is attributable to the law. We spoke with various public officials in Florida who indicated that other variables may have contributed, directly or indirectly, to the drop including an increase in the number of law enforcement officers, other anticrime strategies, and the governor's public-service announcement that warned of the severe penalties for gun crimes. Further, violent crime rates in Florida were trending downward prior to the law's effective

date. One year earlier, for example, the rate in Florida was 938.7 (per 100,000 population) and five years earlier, in 1994, the rate was 1146.8 (per 100,000 population). This drop mirrored the U.S. trend as a whole where violent crime rates went from 713.6 (per 100,000 population) in 1994 to 523 (per 100,000 population) in 1999 and 463.2 (per 100,000 population) in 2004. However, the decline between the year the law went into effect and 2010 was greater in Florida (36%) than in the U.S. (23%).

Little independent research exists on whether there is a causal relationship between the law and decreasing violent crime rates. However, we found one journal article, written by a criminologist and former University of Florida professor, that attempts to isolate the law's effect through statistical intervention analysis. Dr. Alex Piquero concludes that while it is difficult to determine causality, there is likely not a statistically significant relationship between the intervention (the law) and any decrease in violent crime, including firearms homicides.

VIOLENT CRIME RATES IN FLORIDA AND THE U.S.

Like the rest of the country, Florida's violent crime rates peaked in the early 1990's, and with few exceptions, have since trended downward. Table 1 uses FBI UCR data to show the incidences of violent crimes and violent crime rates (per 100,000 population) in Florida and the U.S. from 1988 to 2010—the latest year for which the FBI provides data—11 years before and after the 10-20-Life became effective. The UCR Program defines “violent crimes” as murder, forcible rape, robbery, and aggravated assault.

Table 1: Violent Crimes and Crime Rates: 1988 – 2010

<i>Year</i>	<i>Florida Population</i>	<i>U.S. Population</i>	<i>Florida Violent Crimes Total</i>	<i>U.S. Violent Crimes Total</i>	<i>Florida Violent Crime Rate (per 100,000 population)</i>	<i>U.S. Violent Crime Rate (per 100,000 population)</i>
1988	12,377,000	244,498,982	138,343	1,566,221	1,117.70	640.6
1989	12,671,000	246,819,230	140,575	1,646,037	1,109.40	666.9
1990	12,937,926	249,464,396	160,990	1,820,127	1,244.30	729.6
1991	13,277,000	252,153,092	157,243	1,911,767	1,184.30	758.2
1992	13,488,000	255,029,699	162,827	1,932,274	1,207.20	757.7
1993	13,679,000	257,782,608	164,975	1,926,017	1,206.00	747.1
1994	13,953,000	260,327,021	160,016	1,857,670	1,146.80	713.6
1995	14,166,000	262,803,276	151,711	1,798,792	1,071.00	684.5
1996	14,400,000	265,228,572	151,350	1,688,540	1,051.00	636.6
1997	14,654,000	267,783,607	149,996	1,636,096	1,023.60	611
1998	14,916,000	270,248,003	140,016	1,533,887	938.7	567.6
1999	15,111,244	272,690,813	129,044	1,426,044	854	523
2000	15,982,378	281,421,906	129,777	1,425,486	812	506.5

Table 1: -Continued-

<i>Year</i>	<i>Florida Population</i>	<i>U.S. Population</i>	<i>Florida Violent Crimes Total</i>	<i>U.S. Violent Crimes Total</i>	<i>Florida Violent Crime Rate (per 100,000 population)</i>	<i>U.S. Violent Crime Rate (per 100,000 population)</i>
2001	16,373,330	285,317,559	130,713	1,439,480	798.3	504.5
2002	16,691,701	287,973,924	128,721	1,423,677	771.2	494.4
2003	16,999,181	290,788,976	124,280	1,383,676	731.1	475.8
2004	17,385,430	293,656,842	123,754	1,360,088	711.8	463.2
2005	17,768,191	296,507,061	125,957	1,390,745	709	469
2006	18,089,888	299,398,484	129,602	1,418,043	716.4	473.6
2007	18,251,243	301,621,157	131,882	1,408,337	722.6	466.9
2008	18,423,878	304,374,846	126,260	1,392,629	685.3	457.5
2009	18,537,969	307,006,550	113,541	1,325,896	612.5	431.9
2010	18,801,310	308,745,538	101,969	1,246,248	542.4	403.6

Source: U.S. Department of Justice, Federal Bureau of Investigation, Uniform Crime Reporting Statistics

Variables to Consider

We contacted several Florida agencies and organizations to answer your question. Two individuals provided anecdotal evidence of a decrease in violent crimes. John Hogenmuller, executive director of the Florida Prosecuting Attorneys Association, and Gregory Youchock, chief of court services for the Florida Office of the State Courts Administrator, indicated that over the last several years, the number of criminal filings and inmates convicted under the 10-20-Life law has grown. However, both cautioned that several other variables likely contributed to the change. For example, the number of police officers on the streets increased around the time the law became effective.

Similarly, in his 2005 article, “Reliable Information and Rational Policy Decisions: Does Gun Research Fit the Bill?,” Piquero indicates that “other factors that researchers have credited with reductions in crime, like police personnel... may just as likely be related to the change in crime rates in Florida vis-a-vis 10-20-Life.” Specifically, he writes:

In parallel with 10-20-Life, the Florida Department of Law Enforcement, in concert with local law enforcement agencies and prosecutors, created anticrime strategies such as Operation T.H.U.G.S. (Taking Hoodlums Using Guns Seriously), an effort that targets felons who have existing violent crime warrants and a history of violence. Finally, the Governor’s office implemented a \$2.7 million public-service announcement campaign to warn would-be criminals of the severe penalties for using a gun in Florida: “Use a gun, and you’re done.” The Florida Department of Corrections also provided printed materials such as bumper

stickers, vinyl window clings, posters in English and Spanish, and brochures in English, Spanish, and Haitian Creole to public and private schools, business, and other public areas (i.e., bus stops, billboards, television advertisements) for display.

Two other individuals, David Ensley, chief of research and data analysis for the Florida Department of Corrections, and Kathy McCharen, analyst in the Florida Legislature's Office of Economic and Demographic Research, were not aware of any research or data on the relationship between the law and violent crime rates.

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